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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

20 AFFINITY CREDIT UNION, et al.,
21 Plaintiffs,
22 v.
23 APPLE INC.
24 Defendant.

Case No. 4:22-cv-04174-JSW-KAW

PLAINTIFFS' STATEMENT OF RECENT DECISION

District Judge Jeffrey S. White

Magistrate Judge Kandis A. Westmore

1 In accordance with Local Rule 7-3(d)(2), and in connection with (1) the parties' "joint-letter
 2 brief addressing outstanding disputes concerning documents Apple has withheld, in whole or in
 3 part, on the basis of privilege,"¹ and (2) the parties' dispute regarding the availability of injunctive
 4 relief in Plaintiffs' motion for class certification,² Plaintiffs respectfully bring the Court's attention
 5 to § II.C (privilege analysis) and §§ II.A, II.D (injunctive relief analysis) of the Ninth Circuit's
 6 opinion in *Epic Games, Inc., v. Apple, Inc.*, Appeal No. 25-2935 (9th Cir. Dec. 11, 2025).

7 A true and correct copy of the decision is attached as Exhibit A.

8 DATED December 18, 2025

9 Respectfully submitted,

10 By /s/ Ben M. Harrington

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40 ¹ See ECF No. 303.

41 ² See ECF No. 98-2, at § III.E; ECF No. 144, at § III.C, ECF No. 204, at § II.F.

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